



RECEIVED
CENTRAL FAX CENTER

SEP 20 2005

FOLEY & LARDNER LLP
ATTORNEYS AT LAW
11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEY.COM

FACSIMILE TRANSMISSION

Total # of Pages 3 (including this page)

| TO: | PHONE #: | FAX #: |
|---|---------------|----------------|
| United States Patent and Trademark Office | (571)272-0821 | (571) 273-8300 |

From : Barry S. Wilson
Date : September 20, 2005
User ID No : 3067

MESSAGE:

Re: U.S. Patent Application No. 10/752,937
Title: METHODS FOR DETECTING PREGNANCY
Inventors: Cole, et al.

Attached please find:

- Communication to the Examiner (2 pgs.);

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

| | | |
|-----------|------------|--|
| Operator: | Time Sent: | Return Original To: Vanessa E. Agha |
|-----------|------------|--|

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

SEP. 20. 2005 4:40PM

FOLEY 8587926773

RECEIVED
CENTRAL FAX CENTER

NO. 3430 P. 2/3

SEP 20 2005

Atty. Dkt. No. 034827-0158

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cole, et al.

Title: Methods for Detecting Pregnancy

Application 10/752,937
serial no:

Filing Date: January 7, 2004

Examiner: Grun, James, Leslie

Art Unit: 1641

| | |
|---|--|
| CERTIFICATE OF FACSIMILE TRANSMISSION | |
| I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. | |
| Vanessa Agha (Printed Name) | |
| <i>Vanessa E. Agha</i> (Signature) | |
| September 20, 2005 (Date of Deposit) | |

COMMUNICATION TO THE EXAMINER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned was contacted by the Examiner on 9/20/2005 asking whether a response to the Office Action mailed March 17, 2005 had been filed. The undersigned responds as follows.

A Power of Attorney by Assignee was filed by on behalf Quest Diagnostics Investments, Inc. ("Quest") on October 26, 2004. The Power of Attorney inadvertently contained a request to change responsibility for prosecuting the application and to change the correspondence address to attorney Richard Warburg at Foley & Lardner LLP.

An Office Action mailed March 17, 2005 was received by Richard Warburg at Foley & Lardner LLP. The undersigned mailed the Office Action to Dr. Henry Coleman, attorney for Laurence Cole, on March 29, 2005 and requested attorney Coleman to contact the USPTO to request that correspondence be re-directed to him.

Attorneys for Quest have not filed a response to the outstanding Office Action and request that the USPTO look to Dr. Henry Coleman and Laurence Cole for any such response.

SEP. 20. 2005 4:40PM

FOLEY 8587926773

RECEIVED
CENTRAL FAX CENTER

NO. 3430 P. 3/3

SEP 20 2005

Atty. Dkt. No. 034827-0158

Respectfully submitted,

Date September 20, 2005

By Barry Wilson

Barry S. Wilson (Reg. No. 39,431)

Attorney for Quest Diagnostics

Investment Inc.

For Richard Warburg

023.259376.1

-2-

PAGE 3/3 * RCVD AT 9/20/2005 7:42:05 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/28 * DNIS:2738300 * CSID: * DURATION (mm:ss):01-10